

1 MINUTES OF THE MEETING
2 OF THE
3 COMMUNITY DEVELOPMENT AGENCY
4 TOWN OF RIVERHEAD
5
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7 Meeting held at Riverhead Town Hall, Howell
8 Avenue, Riverhead, New York, on Tuesday,
9 December 4, 2012, at 2:00 p.m.

10 MEMBERS PRESENT:

11 Sean Walter, Chairman
12 John Dunleavy, Member
13 James Wooten, Member
14 Jodi Giglio, Member
15 George Gabrielsen, Member

16 ALSO PRESENT:

17 Chris Kempner, Director
18 Diane M. Wilhelm, Town Clerk
19 Robert Kozakiewicz, Town Attorney
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1 (The Meeting Was Convened At 3:17 p.m.)

2 COUNCILMAN DUNLEAVY: I'd like to make a
3 motion we close the Town Board meeting and open
4 the Community Development meeting. So moved.

5 COUNCILMAN WOOTEN: And seconded.

6 SUPERVISOR WALTER: Moved and seconded.
7 Vote, please.

8 (Roll Call Vote By Ms. Kempner.)

9 COUNCILWOMAN GIGLIO: Yes.

10 COUNCILMAN GABRIELSEN: Yes.

11 COUNCILMAN WOOTEN: Yes.

12 COUNCILMAN DUNLEAVY: Yes.

13 SUPERVISOR WALTER: Yes.

14 MS. KEMPNER: CDA meeting is open.

15 Town of Riverhead Community Development
16 Agency #19, Ratifies Execution of a Consent
17 Agreement for the Use of the Runway and Taxiway
18 areas at the Enterprise Park at Calverton for
19 the Temporary Storage of Cars Damaged by
20 Hurricane Sandy.

21 SUPERVISOR WALTER: We want to take that
22 off -- we always call it the floor, but it
23 really isn't the floor, it's the table. We want
24 to take -- it hasn't been tabled. We want to
25 take that off the floor, so that's what your

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1 motion was. Well have a first and a second?

2 COUNCILMAN DUNLEAVY: For what?

3 SUPERVISOR WALTER: To take it off the
4 floor.

5 COUNCILMAN WOOTEN: So moved, to move it
6 off the floor. So moved.

7 COUNCILMAN GABRIELSEN: And seconded.

8 SUPERVISOR WALTER: Moved and second to
9 take off the floor, because this wasn't in the
10 final --

11 COUNCILMAN DUNLEAVY: Well, I don't
12 understand. This is a --

13 SUPERVISOR WALTER: No, it wasn't
14 published in the package.

15 COUNCILMAN DUNLEAVY: Oh, okay.

16 SUPERVISOR WALTER: So we're taking it off
17 the floor.

18 COUNCILMAN WOOTEN: Motion, off the floor.
19 Take it off the floor.

20 MS. KEMPNER: It was moved and seconded?

21 COUNCILMAN GABRIELSEN: And seconded.

22 (Roll Call Vote By Ms. Kempner.)

23 COUNCILWOMAN GIGLIO: Yes.

24 COUNCILMAN GABRIELSEN: Yes.

25 COUNCILMAN WOOTEN: Yes.

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1 COUNCILMAN DUNLEAVY: Yes.

2 SUPERVISOR WALTER: Yes.

3 MS. KEMPNER: This is consideration of
4 Resolution -- CDA Resolution 19 - Ratifies the
5 Execution of a Consent Agreement for the Use of
6 the Runway and Taxiway areas at the Enterprise
7 Park at Calverton for the Temporary Storage of
8 Cars Damaged by Hurricane Sandy.

9 COUNCILMAN WOOTEN: So moved.

10 COUNCILMAN GABRIELSEN: And seconded.

11 SUPERVISOR WALTER: Moved and seconded.

12 Vote, please.

13 MS. KEMPNER: Giglio.

14 COUNCILMAN DUNLEAVY: I have a question.

15 SUPERVISOR WALTER: Yes.

16 COUNCILMAN DUNLEAVY: I have a question.

17 I think we spoke about this in -- the taxiway
18 that you are speaking about is owned by two
19 parties, it's owned by the Community Development
20 Agency and Berman. The line goes down the
21 middle of the taxiway.

22 SUPERVISOR WALTER: This is not the
23 taxiway.

24 COUNCILMAN DUNLEAVY: It does say taxiway.

25 SUPERVISOR WALTER: This has nothing to do

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1 with the taxiway.

2 COUNCILMAN DUNLEAVY: It doesn't? Did you
3 mention taxiway in here?

4 MS. KEMPNER: It's use of the runway and
5 taxiway.

6 COUNCILMAN DUNLEAVY: Yeah.

7 MS. KEMPNER: I would like to defer to the
8 Town Attorney.

9 COUNCILMAN DUNLEAVY: How could we do that?

10 MR. KOZAKIEWICZ: We could only rent what
11 we own.

12 COUNCILMAN DUNLEAVY: Right.

13 MR. KOZAKIEWICZ: That's the simplest
14 answer I can give you.

15 COUNCILMAN WOOTEN: And we do own some of it.

16 MR. KOZAKIEWICZ: So if there's property
17 that we don't own, the answer is we can't rent it.

18 COUNCILMAN GABRIELSEN: Well it says
19 taxiway areas.

20 COUNCILMAN DUNLEAVY: Areas.

21 MR. KOZAKIEWICZ: From what I understand,
22 this resolution was presented in a little bit of
23 a different format, authorizing the Chairman to
24 execute this agreement. And it was looked at
25 and it was embarked upon in order to enter into

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1 the agreement in light of the fact that there
2 was a need to move forward. It didn't for some
3 reason get generated and forwarded to the Town
4 Supervisor, so I redid it. I had to do it from
5 -- I'm sorry, I'm not as familiar with the
6 details as is Deputy Duffy, but --

7 SUPERVISOR WALTER: Where is the one we
8 all signed?

9 MR. KOZAKIEWICZ: That's a good question.
10 I don't have it, but I understand there was one
11 that was initialed by everybody. It's probably --

12 COUNCILMAN WOOTEN: Get Duffy.

13 MR. KOZAKIEWICZ: Probably Mr. Duffy has
14 it. He's in court.

15 COUNCILMAN DUNLEAVY: I'm sorry I brought
16 this question up.

17 MR. KOZAKIEWICZ: He's in court. Now the
18 answer is when the Town sold -- when the Town
19 sold the property to Mr. Berman, we sold him
20 part of the taxiway. We retained ownership of
21 part of the taxiway.

22 COUNCILMAN DUNLEAVY: That's right.

23 SUPERVISOR WALTER: We're not doing it on
24 the taxiway.

25 MR. KOZAKIEWICZ: This deal is not putting

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1 cars on Berman's taxiway.

2 COUNCILMAN WOOTEN: Okay. Well, it's been
3 seconded, and discussion, and are you satisfied?

4 COUNCILMAN DUNLEAVY: Well, we're going to
5 have to make an amendment.

6 MR. KOZAKIEWICZ: We own part of the
7 taxiway, so to the extent we own it, that's what
8 we're agreeing to lease to them.

9 COUNCILMAN DUNLEAVY: Okay. The eastern
10 half of the taxiway.

11 COUNCILMAN WOOTEN: It didn't say the
12 whole thing, it just says --

13 COUNCILMAN DUNLEAVY: That's it.

14 COUNCILWOMAN GIGLIO: So do you want to
15 amend the third "Whereas" to say, "The 7,000
16 foot runway and associated taxiway and other
17 paved areas at Enterprise Park at Calverton that
18 is in title of the Town of Riverhead"?

19 MR. KOZAKIEWICZ: If that would make you
20 happy, I would --

21 SUPERVISOR WALTER: I want to withdraw
22 this resolution because it's not accurate. Can
23 I get a motion to withdraw this resolution?

24 And then we're going to go into a brief --
25 I'm going to ask for a motion for a brief recess

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1 while we go find Bill Duffy's resolution in his
2 pile of paperwork that we all signed.

3 COUNCILWOMAN GIGLIO: Yeah, because that
4 also had the terms with the dollar amount and
5 everything.

6 MR. KOZAKIEWICZ: It's going to have the
7 same language I took off of his computer.

8 SUPERVISOR WALTER: Can I get a motion to
9 withdraw this resolution?

10 COUNCILMAN WOOTEN: Yeah, so moved.

11 COUNCILMAN DUNLEAVY: And I make a motion
12 -- I seconded the motion.

13 COUNCILMAN WOOTEN: So moved.

14 SUPERVISOR WALTER: All in favor of
15 withdrawing the resolution?

16 (Roll Call Vote By Ms. Kempner.)

17 COUNCILWOMAN GIGLIO: Aye.

18 COUNCILMAN GABRIELSEN: Aye.

19 COUNCILMAN WOOTEN: Yes.

20 COUNCILMAN DUNLEAVY: Yes.

21 SUPERVISOR WALTER: Yes.

22 SUPERVISOR WALTER: Can I get a motion to
23 go into a brief recess so we can sort this out?

24 COUNCILMAN WOOTEN: So moved.

25 COUNCILWOMAN GIGLIO: Aye, aye, aye.

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1 COUNCILMAN DUNLEAVY: We can't lease
2 something we don't own.

3 SUPERVISOR WALTER: Can we have a motion
4 to recess the CDA meeting for five minutes? All
5 in favor?

6 COUNCILWOMAN GIGLIO: Aye.

7 COUNCILMAN GABRIELSEN: Aye.

8 COUNCILMAN WOOTEN: Aye.

9 COUNCILMAN DUNLEAVY: Aye.

10 SUPERVISOR WALTER: Aye.

11 (End of Video.)

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C E R T I F I C A T I O N

I, Lucia Braaten, a Court Reporter and
Notary Public in and for the State of New York,
certify that the foregoing transcript of
videotaped Riverhead Community Development
Agency Meeting of December 4, 2012 was prepared
using required electronic transcription
equipment and is a true and accurate record to
the best of my ability.

Signature: _____

Lucia Braaten

Date: December 16, 2012

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